

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6487 of 1986

Date of decision: 18-2-98

For Approval and Signature

The Hon'ble Mr. Justice S. K. KESHOTE

1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the judgment?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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L.K.BAROT

Versus

STATE OF GUJARAT  
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Appearance:

MR D.C. Raval for Petitioner

None present for Respondent No. 1, 2  
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CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 18/02/98

ORAL JUDGEMENT

The petitioner, a Police Inspector of the Police Department of the State of Gujarat has filed this special civil application with prayer for quashing and setting aside the order annexure-A dated 10-3-1986 passed by the Director General & Inspector General of Police, by which the petitioner was ordered to be placed under suspension, pending criminal prosecution which has been lodged against him.

2. After filing of this special civil application the petitioner filed civil application No.959 of 1988 and the fact has been disclosed that in the criminal case the petitioner has been acquitted by the Metropolitan Magistrate under judgment dated 11-4-1988. From that civil application it further appears that two criminal cases were pending against the petitioner and in both the cases he has been acquitted. Prayer was made in that civil application that the respondents maybe directed to revoke the order of suspension and to reinstate the petitioner in service as Police Inspector and to post him at his original post. Further prayer has also been made for directing the respondents to treat the period of suspension of the petitioner as period spent on duty. In the said civil application this court has granted interim relief in terms of para 5 (A) thereof. Thus the respondents were directed to revoke the order of suspension of the petitioner and to reinstate him in service on his original post. In view of the fact that the petitioner was kept under suspension because of the pendency of criminal cases against him, which have already been decided in his favour, and in view of the order passed by this Court in the aforesaid civil application, now nothing survives in this special civil application.

3. In the result this petition is disposed of in terms of the order dated 17-5-1988 passed by this court in civil application No.959 of 1988 . Rule stands disposed of accordingly. No order as to costs.

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